

REMARKS

The objection to the drawings is overcome by cancelling the claims in question, as is the rejection under 35 USC 112, second paragraph.

The claims have been amended so as to sharpen their definition of the invention relative to the applied references.

Reconsideration is accordingly respectfully requested for the rejection of the claims as anticipated by or unpatentable over SUYDAM, alone or in view of various other references of record, such as DYE.

SUYDAM does not disclose a urological measuring instrument capable of measuring a urine flow. All it discloses is a collection device for urine, like a toilet, which may be convenient for a person experiencing the need to eliminate urine. There is no disclosure whatsoever in SUYDAM of providing such a device with flow indicator means for measuring urine flow. Particularly the neck portion (30) of the funnel (28) is nowhere disclosed to comprise such indicator means or even to be capable of indicating a magnitude of the urine flow. In order to emphasize this difference with SUYDAM, we have changed "urological instrument" in the claims to "urological measuring instrument".

Also, the presence of absorbing material (52) in the collecting device of SUYDAM (cf. Fig. 7) renders the article entirely unsuitable for measuring urine flow.

Moreover, although the funnel of SUYDAM can be brought from a compact storage state to an expanded ready-to-use state by folding the rim component of the funnel, SUYDAM gives no indication or any suggestion to fold the components of the funnel at least substantially onto each other in the storage state. Instead, the funnel is folded into the storage bag in the storage state.

DYE does not disclose a foldable and disposable article. Combining the receiving member of SUYDAM with the instrument of DYE would produce a device which is still not foldable as a whole. This combination would not teach a skilled person how the rigid indicator means of DYE can be conceived within a foldable article.

The other references of record, applied or not, may show the features for which they were cited or applied; but as none of these overcomes the basic shortcomings of SUYDAM, as pointed out above, it is not believed to be necessary to discuss the further references in detail at this time.

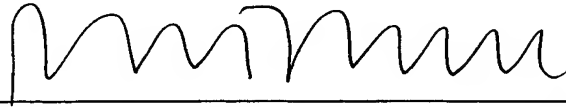
In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in black ink, appearing to read 'RJP', written over a horizontal line.

Robert J. Patch, Reg. No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

RJP/lk